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Counterclaimant Skyryse, Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v

SKYRYSE, INC., ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1-50,

Defendants.

SKYRYSE, INC.,

Counterclaimant,

v

MOOG INC.,

Counterclaim-Defendant.

CASE NO. 2:22-cv-09094-GW-MAR

**DEFENDANT-COUNTERCLAIMANT  
SKYRYSE, INC.'S APPLICATION  
FOR LEAVE TO LODGE UNDER  
SEAL CERTAIN PORTIONS OF  
SKYRYSE, INC.'S OPPOSITION TO  
MOOG'S MOTION TO ENFORCE  
COMPLIANCE WITH THE  
MARCH 11, 2022 STIPULATED TRO  
(DKT. 25), AND FOR MONETARY  
AND ADVERSE INFERENCE  
SANCTIONS FOR CONTEMPT AND  
SPOILIATION AND  
ACCOMPANYING DECLARATIONS  
AND EXHIBITS**

Judge: Hon. George H. Wu

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that, pursuant to Local Rule 79-5.2.2, Defendant and Counterclaimant Skyryse, Inc. (“Skyryse”) hereby applies for an order permitting the following documents filed in connection with Skyryse’s Opposition to Moog’s Motion to Enforce Compliance with the March 11, 2022 Stipulated TRO, and for Monetary and Adverse Inference Sanctions for Contempt and Spoliation (“Opposition”) to be lodged under seal with the Court.

Document	Designating Party	Text to be Filed/Lodged under Seal
Skyryse’s Opposition to Moog’s Motion to Enforce Compliance with the March 11, 2022 Stipulated TRO, and for Monetary and Adverse Inference Sanctions	Moog	Highlighted portions in the unredacted version at pages: 9:12-23; 10:9-10; 16:8-12; 20:4-9; 20:14-17; 20:25; 23:12-15; 24:24, 25:1; 25:17-18, 25:23-24, 26:5.
Exhibits to Declaration of A. Solimano	Moog	Ex. A1, A9, and A10 in their entirety.
Declaration of N. Baer	Moog	Portions highlighted in yellow in the unredacted version at pages: 2:24-27; 4:5; 5:6-8; 13:13-15; 13:18-20; 14:12-14; 15:4-14; 15:24; 17:1-2; 17:4-6; 17:9; 18:1-28; 20:20-22; 21:1-14; 22:2-4; 22:14-15; 23:1-21; 25:12-13; 25:23; 26:1; 26:3-20; 28:18-19; 29:1-19; 30:10-11; 30:12-13; 30:19; 30:25; 31:2; 31:15-17; 32:1-8; 33:2-3;

Document	Designating Party	Text to be Filed/Lodged under Seal
		33:6-25; 35:2-3; 35:5-14; 36:3-4; 36:7-19; 37:12-13; 37:22; 38:6-7; 40:7-8; 41:9-10; 41:13; 41:15; 42:18-24; 43:1-28; 44:1-28; 45:1-28; 46:1-28; 47:1-28; 48:1-28; 49:1-28; 50:1-28; 51:1-28; 52:6-7; 52:13; 52:15-17; 52:26; 53:212 53:25; 54:8-9; 54:13-14; 54:15; 55:11-15; 55:23-25; 56:20; 56:25-27; 57:5; 57: 10; 57:11-12; 59:18-19; 62:4-5; 62:8-10; 65:1-9; 65:11-12; 65:15-18; 65:19-20; 65:21; 65:27-28; 66:1-8; 70:1-4; 70:11-14; 71:1-10; 71:18-27; 72:22-23; 73:3-4; 73:5.
Declaration of N. Baer	A. Pilkington	Portions highlighted in blue in the unredacted version at: 30:5; 30:6-8; 30:9; 30:11-12; 37:18-21; 37:28; 39:15; 39:16-17; 39:18-19; 40:24-28; 41:1-4; 41:6; 42:18-24; 43:1-28; 44:1-28; 45:1-28; 46:1-28; 47:1-28; 48:1-28; 49:1-28; 50:1-28; 51:1-28.

Document	Designating Party	Text to be Filed/Lodged under Seal
Exhibits to Declaration of N. Baer	A. Pilkington	Ex. B8 and B14 in their entirety.
Declaration of M. Dreikorn	Moog	Highlighted portions in the unredacted version at pages 3:18-22; 4:1; 4:20-26; 24:23-25; 25:1-8; 25:10-13; 25:17-21; 25:23-24; 26:1-6; 27:6-9; 30:4-21; 33:1-18; 36:4; 37:5-21; 45:3-19; 50:1-17; 54:3-22; 58:5-16; 60:1-12; 64:1-24.

Skyryse has provisionally lodged under seal certain portions of its Opposition and accompanying documents that refer to, describe, or quote documents that Plaintiff and Counterclaim-Defendant Moog, Inc. has designated as Protected Material under the Protective Order entered in this action, dated May 6, 2022 (Dkt. 89), or that Skyryse believes may be considered confidential information by Moog. Accordingly, pursuant to paragraph 12.1 of the Protective Order, Skyryse seeks to provisionally lodge these materials under seal until such time as Moog withdraws its confidentiality designations or the Court rules on a forthcoming application from Moog to justify that these documents, or portions of thereof, remain under seal.

Skyryse also has provisionally lodged under seal certain portions of its Opposition and accompanying documents that refer to, describe, or quote documents that Defendant Pilkington has designated as Protected Material under the Protective Order entered in this action, dated May 6, 2022 (Dkt. 89). Accordingly, pursuant to paragraph 12.1 of the Protective Order, Skyryse seeks to provisionally lodge these materials under seal until such time as Mr. Pilkington withdraws his confidentiality

1 designations or the Court rules on a forthcoming application from Pilkington to  
2 justify that these documents, or portions of thereof, remain under seal.

3 This application is further based upon the accompanying Declaration of Alexa  
4 Solimano in Support of this Application; any pleadings, files, and records in this  
5 action; and any further evidence or argument as this Court may consider.

6 On April 22, 2023, counsel for Skyryse conferred via email with counsel for  
7 Moog regarding this Application and stated that Skyryse proposed to file under seal  
8 portions of documents that Moog had previously requested to be sealed in  
9 connection with Moog's Motion. (Dkt. 400.) On April 24, 2023, and pursuant to  
10 Moog's request, Skyryse followed up via email to identify the materials it planned  
11 to lodge under seal and stated that those materials would be provisionally lodged  
12 under seal subject to Moog's identification of any information that it no longer  
13 believed should be filed under seal. Moog did not respond.

14 On April 24, 2023 counsel for Skyryse conferred via telephone with counsel  
15 for Alin Pilkington regarding this Application, and identified the documents Skyryse  
16 had proposed to file under seal, in whole or in part. Mr. Pilkington's counsel  
17 confirmed that these documents should be provisionally lodged under seal.

18  
19  
20 Dated: April 24, 2023

Respectfully submitted,

21 LATHAM & WATKINS LLP

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